



House of Commons
Public Administration Select
Committee

**Bad Language: The Use
and Abuse of Official
Language: Government
Response to the
Committee's First
Report of Session 2009-
10**

**Fourth Special Report of Session
2009–10**

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The Public Administration Select Committee

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, which are laid before this House, and matters in connection therewith, and to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service.

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Committee staff

The current staff of the Committee are Steven Mark (Clerk), David Slater (Second Clerk), Pauline Ngan (Committee Specialist), Louise Glen (Senior Committee Assistant) and Su Panchanathan (Committee Assistant)

Contacts

All correspondence should be addressed to the Clerk of the Public Administration Select Committee, Committee Office, First Floor, 7 Millbank, House of Commons, London SW1P 3JA. The telephone number for general enquiries is 020 7219 5730; the Committee's email address is pasc@parliament.uk

Fourth Special Report

The Public Administration Select Committee reported to the House on *Bad Language: The Use and Abuse of Official Language* in its First Report of Session 2009-10, published 30 November 2009 as HC 17. The Government Response was received on 15 February 2010 and is published below as an appendix to this report.

Government Response

The Government welcomes the committee's report.

The Government recognises that this is an important topic because, as the report makes clear, good language that is "honest, accessible and understandable" will enhance citizens access to information and services.

Good language aids good government and bad language hinders it. That is why the Government will continue to focus on driving up standards and delivering real improvements.

Good progress has already been made but more needs to be done. That is why a range of activities have already been put in place as part of an ongoing commitment to clear communication focused on the needs of citizens.

The language used in politics and government matters because politics is a public activity and the services that government provides are public services. The public nature of government and its activities means that politicians and public servants should be required to communicate with people in a straightforward way, using language that people understand. We have encountered numerous examples of official language, however, where meaning has been confused and distorted. Bad language of this kind is damaging because it can both prevent public understanding of policies and inhibit original expression and thought. (Paragraph 21)

Poor communication by government bodies dealing with the public is a significant concern, especially when large numbers of people are affected. Long, complex official forms, officious letters and confusing requests for information can all deter individuals from attempting to deal with public authorities. This is particularly worrying when it prevents people from getting the benefits or services to which they are entitled. (Paragraph 27)

Mockery, as practised by sketchwriters and other political observers, serves a useful purpose by reducing our tolerance for the misuse of language. More generally, "good" political language should be encouraged, and the use of language that distorts or disguises meaning should be exposed and condemned. (Paragraph 32)

The committee is right to point out that ‘confusing or incomprehensible language makes dealing with officialdom more complicated than it needs be’. This applies both to information going out from government and information requested back from citizens.

Guidance

It is a priority for the Government to make sure that communications are clear and easily understood by the people being addressed. Guidance on clear communications is available from a number of sources. For example:

- The National School of Government (NSG) provides communications and drafting courses that teach plain English techniques.
- The NSG’s Centre for Working with Ministers and Parliament teaches civil servants the value of precision and clarity both in advising and briefing ministers and in helping them account to parliament and to the public.
- The NSG handbook, *Working with Ministers*, which is mentioned in the report tackles the dangers of jargon.
- The school also runs a course that teaches government economists how to translate complex, technical information for readers who are not economists (including members of the public, MPs, ministers and other officials). A similar course is open to all civil servants.
- The Government Communications Network (GCN) core skills framework for all those working in government communications requires communicators to ‘write clearly, concisely and accurately in plain English’. The GCN skills analysis tool highlights the need for plain English and advice on how to develop writing skills is provided in the career planning guidance for government communicators.
- The Central Office of Information (COI) offers a range of editorial services to help public sector organisations communicate clearly and in an accessible way. It also advises government departments about writing clearly.
- Increasingly, the Government is using digital media to communicate and engage with citizens. Directgov, the Government’s citizen-facing website has a clearer, more concise style to suit the way citizens access online information. The site operates an accreditation process for contributors in order to maintain consistency and standards of editorial clarity.

Departmental action

In addition to centrally available guidance, there are a number of departmental initiatives to encourage and support use of plain English. Individual departments and organisations are responsible for setting their own communications objectives and developing their own standards and policies. Many work with organisations such as the Plain English Campaign or the Plain Language Commission to ensure that communications are clear.

Her Majesty's Revenue and Customs (HMRC) and Department for Work and Pensions (DWP) have high volumes of direct contact with citizens. Both organisations have worked hard to review and improve their customer materials and have involved customer groups and stakeholders in testing new leaflets and forms. Both departments are working with Reading University's Simplification Centre; DWP on a project to transform customer letters and HMRC to improve the skills of its Customer Information Team (which designs forms and other customer products) through Reading's accredited information design study programme.

HMRC communicators are trained in plain English (and can gain the Plain English Diploma) and promote use of plain English across the department. Other initiatives include using information about customer error and customer satisfaction statistics to identify and prioritise areas for improvement.

The tax law rewrite project is a good example of departments working together to improve the clarity of information. As recognised in the report, HMRC and Office of Parliamentary Counsel (OPC) have been extremely successful in rewriting the law covering the major direct taxes (income tax and corporation tax). Techniques developed by OPC drafters for the project are now being used in the drafting of new programme legislation for the Government.

We believe that the use of inaccurate, confusing or misleading official language which results in tangible harm, such as preventing individuals from receiving benefits or public services, should be regarded as maladministration. People should be encouraged to complain about such cases of bad official language directly to the body concerned, and government needs to take such complaints of maladministration seriously. Failure to do so would provide grounds for people to complain to the relevant Ombudsman about poor official language. (Paragraph 39)

The Government agrees that, in extreme cases, the use of inaccurate, confusing or misleading official language may amount to maladministration. It also agrees that in cases where individuals have concerns or complaints about bad official language, they should raise these with the department or public body concerned. Citizens can use organisations' published procedures, particularly when they believe they have suffered some form of injustice as a result of poor language. Departments and public bodies should take such complaints seriously, and consider them in accordance with their complaints procedures. Where an individual is dissatisfied with the outcome of the consideration of their complaint, they will be advised about the options available to them for further investigation. This may include investigation by the relevant independent statutory Ombudsman.

Making legislative language clear and simpler needs to be balanced against the interests of ensuring that legislation is as precise and certain in its meaning as necessary. Supporting material such as explanatory notes can help legislation more accessible to the non-specialist reader. Government could, however, explore to a greater extent initiatives to make the statute book clearer and more readily understandable, such as rewriting existing legislation (along the lines of the successful tax law rewrite project) and giving serious consideration, on a case by case basis, to drafting laws in clearer, simpler language. (Paragraph 44)

The Government agrees that technical language can sometimes make understanding difficult and that the use of professional jargon is unhelpful. However the committee rightly identifies the need to balance the desirability of clarity and simplicity against the demands of precision and certainty. The Government believes that significant progress has already been made and that there is clear evidence of a firm determination by drafters of legislation to produce laws that are as clear and as simple as they can make them.

It is an objective of the Office of the Parliamentary Counsel (OPC) to achieve the highest standards in the drafting of legislation and it gives a high priority to securing and improving the accessibility of legislation, and of the legislative process, in particular through the use of plain language. The importance placed on this is emphasised by the way this objective is carried into the personal objectives of individual drafters.

To support its objectives OPC has a drafting techniques group which makes recommendations about drafting practice. Subjects from this group are regularly discussed more widely within OPC and at OPC office forums, reinforcing the need for clarity and simplicity in drafting.

Much has been achieved by the work that has been done to improve the quality of supporting material. For example, the work done by PICT (Parliament's Information and Communications Technology department) and OPSI (the Office of Public Sector Information) to link explanatory material with legislative text when it is published on the internet. This is in addition to the work on printing explanatory notes with the text of a Bill.

The ongoing commitment to improvement is demonstrated by the consultation on the simplicity and clarity of the draft Flood and Water Management Bill (April 2009). And there is a continued focus on developing relationships with organisations such as the Law Reform Committee of the Bar Council and the plain-language organisation Clarity.

Conclusion

The Government believes that significant progress has been made in improving the clarity of language when communicating with citizens. However, it also recognises that this is an area for continual development and much work is going on in pursuit of further improvements.

Challenges here include the pace of technological change. Digital media have already changed the way we communicate and will continue to do so. By its nature digital media requires a simpler and clearer use of language. Increasing use of internet-based channels such as Directgov, DVLA vehicle licensing online and Downing St on You Tube will also help to improve clarity and accessibility of official information.

The Government will continue to work with departments to ensure that instances of bad official language are taken seriously and a focus on ongoing improvement is maintained.